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# FAY, SHARPE, FAGAN, MINNICH & MCKEE, LLP

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1100 SUPERIOR AVENUE

SEVENTH FLOOR

CLEVELAND, OHIO 44114-2579

TELEPHONE (216) 861-5582

FAX (216) 241-1666 AND (216) 241-5147

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DATE: July 22, 2005

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TO: USPTO - Art Unit 2642

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ATTN.: Rasha S. Al Aubaidi

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FACSIMILE NO.: 1-571-273-8300

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FROM: Thomas E. Kocovsky

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RE: Our Ref.: LUTZ 2 00133

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No. 2269 P. 2  
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**JUL 22 2005**  
**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

INVENTOR(S) : Calabrese, et al.  
TITLE : APPARATUS, METHOD AND  
SYSTEM FOR MAINTAINING CALL  
CONTROL AT A GATEWAY  
MOBILE SWITCHING CENTER  
UTILIZING A PACKET NETWORK  
APPLICATION NO. : 09/558,613  
FILED : April 26, 2000  
CONFIRMATION NO. : 9462  
EXAMINER : Rasha S. Al Aubaidi  
ART UNIT : 2642  
LAST OFFICE ACTION : April 22, 2005  
ATTORNEY DOCKET NO. : LUTZ 2 00133  
Case Name/No. Calabrese 10-3-7-16  
Cleveland, OH 44114  
July 22, 2005

**RESPONSE**

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Responsive to the Office Action mailed April 22, 2005, on the above-referenced patent application, Applicant(s) respectfully request reconsideration of the application.

**REMARKS**

The Examiner's action mailed April 22, 2005 has been given careful consideration by the applicants, who respectfully request reconsideration of the application. Claims 1-56 remain in the application.

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**The Office Action**

Examiner rejected claims 1-54. Examiners remarks indicate that the examiner is basing the rejections on the application entitled "Apparatus, Method and System for Providing Conditional Answering in Multiple Leg Telecommunications Sessions".

However, on September 2, 2004, Applicant's Petition to have the application corrected was granted. On September 15, 2005, Applicant responded to the March 15, 2004 Office Action requesting that the examiner reconsider and withdraw the Office Action. In Applicant's remarks, applicant cited the portion of the Decision of the Petition that stated that the application was to be reprocessed using the 30 page specification entitled, 'Apparatus, Method and System for Maintaining Call Control at a Gateway Mobile Switching Center Utilizing a Packet Network' that was supplied with the petition.

Because the examiner's rejections were not based on the correct application, Applicant respectfully requests that the examiner reconsider and withdraw the Office Action mailed on April 22, 2005.